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1 UNITED STATES OF AMERICA
2 SOUTHERN DISTRICT OF NEW YORK
-----x

3 UNITED STATES OF AMERICA,

4 v.

16 Cr. 371 (RA)

5 JOHN GALANIS, et al.,

6 Defendants.

7 -----x

8 New York, N.Y.
9 June 28, 2018
9:30 a.m.

10 Before:

11 HON. RONNIE ABRAMS,

12 District Judge

13
14 APPEARANCES

15 ROBERT KHUZAMI,
Acting United States Attorney for the
16 Southern District of New York
17 BY: BRENDAN F. QUIGLEY,
REBECCA G. MERMELSTEIN,
NEGAR TEKEEI,
18 Assistant United States Attorneys

19 PELUSO & TOUGER
Attorneys for Defendant John Galanis
20 BY: DAVID TOUGER

21 BOIES, SCHILLER & FLEXNER LLP (NYC)
Attorneys for Defendant Devon Archer
22 BY: MATTHEW LANE SCHWARTZ
LAURA HARRIS
23 CRAIG WENNER

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Verdict

1 Appearances (Cont'd)

2

3 PAULA J. NOTARI

4 Attorney for Defendant Bevan Cooney

5 - and -

6 O'NEILL and HASSEN

7 Attorneys for Defendant Bevan Cooney

8 BY: ABRAHAM JABIR ABEGAZ-HASSEN

9 Also present: Kendall Jackson, Paralegal
10 Ellie Sheinwald, Paralegal
11 Eric Wissman, Paralegal
12 Special Agent Shannon Bienick, FBI

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Verdict

1 (In open court; time noted 12:15 p.m.)

2 THE COURT: Does anyone want to see the note? It just
3 says "We've reached a verdict." I'll mark it Court Exhibit 4.
4 We have marked the jury questionnaire and the drafts of the
5 charge as the other exhibits.

6 (Jury present)

7 THE COURT: Good morning, all. You can be seated.

8 Mr. Foreperson, I'm just going to ask you to hand the
9 verdict form to Ms. Cavale, and then I'm going to give it back
10 to you.

11 Thank you.

12 THE COURT: All right. So we're going to go through
13 this together. Could you please stand.

14 With respect to Count One, conspiracy to commit
15 securities fraud, with respect to John Galanis, did you find
16 him not guilty or guilty?

17 FOREPERSON: Guilty, your Honor.

18 THE COURT: And with respect to Bevan Archer, not
19 guilty or guilty?

20 FOREPERSON: Guilty, your Honor.

21 THE COURT: With respect to Bevan Cooney, not guilty
22 or guilty?

23 FOREPERSON: Guilty, your Honor.

24 THE COURT: And with respect to Count Two, the
25 securities fraud count, for John Galanis, did you find him not

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Verdict

1 guilty or guilty?

2 FOREPERSON: Guilty, your Honor.

3 THE COURT: With respect to Devon Archer, not guilty
4 or guilty?

5 FOREPERSON: Guilty, your Honor.

6 THE COURT: And with respect to Bevan Cooney, not
7 guilty or guilty?

8 FOREPERSON: Guilty.

9 THE COURT: Thank you. You may all be seated.

10 I'm going to take back that form, please, and just see
11 the lawyers at sidebar.

12 (Continued on next page)

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Verdict

1 (At the sidebar)

2 THE COURT: Here is the form. Do you want me to poll
3 the jury?

4 MR. SCHWARTZ: Yes, please.

5 THE COURT: Otherwise, can I excuse them at this time?

6 MR. SCHWARTZ: Yes.

7 MR. TOUGER: Yes.

8 (Continued on next page)

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Verdict

1 (In open court)

2 DEPUTY CLERK: Juror 1, is this your verdict?

3 JUROR 1: Yes.

4 DEPUTY CLERK: Juror 2, is this your verdict?

5 JUROR 2: Yes.

6 DEPUTY CLERK: Juror 3, is this your verdict?

7 JUROR 3: Yes.

8 DEPUTY CLERK: Juror 4, is this your verdict?

9 JUROR 4: Yes.

10 DEPUTY CLERK: Juror 5, is this your verdict?

11 JUROR 5: Yes.

12 DEPUTY CLERK: Juror 6, is this your verdict?

13 JUROR 6: Yes.

14 DEPUTY CLERK: Juror 7, is this your verdict?

15 JUROR 7: Yes.

16 DEPUTY CLERK: Juror 8, is this your verdict?

17 JUROR 8: Yes.

18 DEPUTY CLERK: Juror 9, is this your verdict?

19 JUROR 9: Yes.

20 DEPUTY CLERK: Juror 10, is this your verdict?

21 JUROR 10: Yes.

22 DEPUTY CLERK: Juror 11, is this your verdict?

23 JUROR 11: Yes.

24 DEPUTY CLERK: Juror 12, is this your verdict?

25 JUROR 12: Yes.

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Verdict

1 THE COURT: All right. I want to thank you all for
2 your service. You have performed one of the highest, noblest
3 obligations of citizenship. You have acted as finders of fact.
4 I know it's been a huge imposition on all of you personally,
5 but you were punctual and attentive, and I want to thank you
6 for your time and commitment to this service.

7 When you leave the courtroom, you are free to go home,
8 and in a moment I'm going to excuse you as jurors.

9 When I excuse you, you are no longer subject to any of
10 my orders. You are no longer under any orders not to talk
11 about the case. Just the same, you are under absolutely no
12 obligation to talk about the case. It's entirely up to you
13 whether you would or would not like to discuss the case.

14 So, now I'm going to excuse you as jurors. I am going
15 to come thank you personally, but your jury service is
16 complete, and I'm going to ask everyone in courtroom to stand
17 out of respect for all of you.

18 THE COURT: All right. Everyone can be seated.

19 (Jury dismissed)

20 THE COURT: What would you propose in terms of a
21 motion schedule? And if you need time to think about it, you
22 can think about it and let me know, but I just wanted to set
23 the schedule for the motion.

24 MR. SCHWARTZ: Sure. Does it make sense for all of us
25 to confer and propose something jointly?

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Verdict

1 THE COURT: Sure. Why don't do you that. Anything
2 else we need to discuss today?

3 MS. MERMELSTEIN: No, your Honor.

4 MR. SCHWARTZ: No, your Honor.

5 THE COURT: OK. Thank you.

6 MR. TOUGER: Would you mind if we came back with you?

7 THE COURT: You know what, let me ask them if they're
8 OK with it, and if they are, you are welcome to speak to them.

9 (Trial concluded)

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